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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE
LABORERS HEALTH AND WELFARE
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS VACATION-HOLIDAY
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS PENSION TRUST FUND
FOR NORTHERN CALIFORNIA; and
BOARD OF TRUSTEES OF THE
LABORERS TRAINING AND RETRAINING
TRUST FUND FOR NORTHERN
CALIFORNIA,

Plaintiffs,

vs.

RIVER VIEW CONSTRUCTION, INC., a
California corporation; and GREGORY
GORESHNIK, an individual,

Defendants.

Case No.: CV 12-03514 PJH

**CASE MANAGEMENT CONFERENCE
STATEMENT; ORDER THEREON**

DATE: November 8, 2012
TIME: 2:00 p.m.
CTROOM: 3, 3rd Floor
Hon. Phyllis J. Hamilton

Plaintiffs file this abbreviated Case Management Conference Statement.

On July 6, 2012, Plaintiffs filed their Complaint For Damages for Breach of Collective Bargaining Agreement, To Recover Unpaid Trust Fund Contributions and For A Mandatory Injunction ("Complaint") seeking to recover employee fringe benefit contributions on behalf of Defendant River View Construction, Inc.'s covered employees. On July 23, 2012, the Complaint was served on Defendant River View's agent for service of process, Gregory

1 Goreshnik, and was served on Goreshnik individually, also a named defendant. No responsive
2 pleading was filed.

3 On September 6, 2012, Plaintiffs filed their Request for Clerk's Entry of Default. On
4 September 7, 2012, the Clerk of Court entered the default of Defendants River View
5 Construction, Inc. and Gregory Goreshnik.

6 Plaintiffs intend to proceed in default and have a motion for default judgment on file
7 within 30 days. Based on the above, Plaintiffs request that the case management conference be
8 continued for approximately 30 days, allowing Plaintiffs time to file and serve their motion for
9 default judgment.

10
11 DATED: October 31, 2012

12 BULLIVANT HOUSER BAILEY PC

13
14 By 

15 Ronald L. Richman
16 Susan J. Olson
17 Edward D. Winchester

18 Attorneys for Plaintiffs

19 **ORDER**

20 Plaintiffs having submitted their Case Management Conference Statement and good
21 cause appearing:

22 IT IS HEREBY ORDERED that the case management conference scheduled for
23 November 8, 2012 be continued until January 3, ~~2012~~ ²⁰¹³ at 2:00 p.m. In the event Plaintiffs
24 file their Motion for Default Judgment on or before the date for the continued case management
25 conference, the continued case management conference shall be vacated.

26 DATED: November ⁵, 2012

27 By

28 HON. PHYLLIS J. HAMILTON
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
JUDGE



13911555.1

PROOF OF SERVICE

I am employed in the City and County of San Francisco by the law firm of Bullivant Houser Bailey, PC ("the business"), 601 California Street, Suite 1800, San Francisco, CA 94108. I am over the age of 18 and not a party to this action. On October 31, 2012, I served the document(s) entitled:

**CASE MANAGEMENT CONFERENCE STATEMENT;
ORDER THEREON**

upon the following party(ies):

River View Construction, Inc. 4003 Seaport Blvd. West Sacramento, CA 95691	Gregory Goreshnik 4003 Seaport Blvd. West Sacramento, CA 95691
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☒ **BY MAIL** (CCP § 1013(a)): I am readily familiar with the ordinary practice of the business with respect to the collection and processing of correspondence for mailing with the United States Postal Service. I placed a true and correct copy(ies) of the above-titled document(s) in an envelope(s) addressed as above, with first class postage thereon fully prepaid. I sealed the aforesaid envelope(s) and placed it(them) for collection and mailing by the United States Postal Service in accordance with the ordinary practice of the business. Correspondence so placed is ordinarily deposited by the business with the United States Postal Service on the same day.

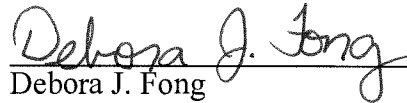
☐ **BY FACSIMILE TRANSMISSION** (CCP § 1013(e), CRC 2.306): I transmitted the document(s) by facsimile transmission by placing it(them) in a facsimile machine (telephone number 415-352-2701) and transmitting it(them) to the facsimile machine telephone number(s) listed above. A transmission report was properly issued by the transmitting facsimile machine. Each transmission was reported as complete and without error. A true and correct copy of the transmission report is attached hereto.

☐ **BY OVERNIGHT DELIVERY** (CCP § 1013(c)): I am readily familiar with the ordinary practice of the business with respect to the collection and processing of correspondence for mailing by Express Mail and other carriers providing for overnight delivery. I placed a true and correct copy(ies) of the above-titled document(s) in an envelope(s) addressed as above, with first class postage thereon fully prepaid. I sealed the aforesaid envelope(s) and placed it(them) for collection and mailing by Express Mail or other carrier for overnight delivery in accordance with the ordinary practice of the business. Correspondence so placed is ordinarily deposited by the business with Express Mail or other carrier on the same day.

☐ **BY PERSONAL SERVICE UPON AN ATTORNEY** (CCP § 1011(a)): I placed a true and correct copy(ies) of the above-titled document(s) in a sealed envelope(s) addressed as indicated above. I delivered each of said envelope(s) by hand to a receptionist or a person authorized to accept same at the address on the envelope, or, if no person was present, by leaving the envelope in a conspicuous place in the office between the hours of nine in the morning and five in the afternoon.

1 ☐ BY PERSONAL SERVICE UPON A PARTY (CCP § 1011(b)): I placed a true and
2 correct copy(ies) of the above-titled document(s) in a sealed envelope(s) addressed as
3 indicated above. I delivered each of said envelope(s) by hand to a person of not less
4 than 18 years of age at the address listed on the envelope, between the hours of eight in
5 the morning and six in the evening.

6 I declare under penalty of perjury that the foregoing is true and correct. Executed on
7 October 31, 2012, at San Francisco, California.

8 
9 Debora J. Fong